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09/904,092	07/12/2001	Liang Hua Hsu	2000P09094US01	1886

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Siemens Corporation
Intellectual Property Department
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EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,092

Applicant(s)

HSU ET AL.

Examiner

Doug Hutton

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-14,17,18 and 20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5,7-14,17,18 and 20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's Response

In Applicant's Response dated 7 June 2005, Applicant filed a Request for Continued Examination and requested entry of the after-Final amendment dated 27 April 2005.

In the after-Final amendment dated 27 April 2005, Applicant amended Claims 1 and 7-9, cancelled Claims 6, 15 and 16, and argued against all objections and rejections previously set forth in the Office Action dated 01 March 2005.

The examiner notes that the Advisory Action dated 26 May 2005 enters Applicant's after-Final amendment dated 27 April 2005 and addresses the amendments to the claims.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 April 2005 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-14, 17, 18 and 20 remain rejected under 35 U.S.C. 102(b) as being anticipated by DeRose et al., U.S. Patent No. 5,983,248.

Claim 1:

DeRose discloses a system for processing a plurality of related sub-documents to produce information associated with an encompassing document structure (see Figures 4 and 5; see Column 3, Lines 44-53; see Column 4, Lines 32-37; see Column 11, Lines 27-37 – DeRose discloses this limitation in that the electronic publishing system is used to access portions of a large document), comprising:

- a source of control information for determining content structure of an encompassing document (see Figures 4 and 5; see Column 8, Line 47 through Column 9, Line 39 – DeRose discloses this limitation in that the electronic publishing system includes an SGML document that defines the content structure of the SGML document, as shown in the tree structure of Figure 5. Each of the various portions of the SGML document ***definitively establishes*** the “content structure” of the “encompassing document.” In other words, the SGML document is the “source of control information” for the “encompassing document,” and the various portions of the SGML document are the “sub-documents.”);

- a first document processor for deriving internal structure information of each of said plurality of related sub-documents in response to said control information (see Figure 6; see Column 9, Lines 40-59 – DeRose discloses this limitation in that the electronic publishing system includes the element directory shown in Figure 6, which comprises “internal structure information” about each portion of the SGML document. Each portion of the SGML document is a “sub-document,” and the “sub-documents” are “related” in that they make up the “encompassing document.” The electronic publishing system includes a processor that “derives” the “internal structure information” in that the system runs on a computer and **obtains** the information displayed in Figure 6 **from the SGML document**. The element directory of Figure 6 comprises “internal structure information” of “sub-documents” in that it includes a field comprising the text and/or the attributes for each element of the SGML document.), wherein said first document processor derives said internal structure information by identifying at least one of, (a) objects within a document and (b) divisions between objects (see Figures 5 and 6 – DeRose discloses this limitation in that the electronic publishing system includes the “element directory,” as indicated in the above discussion. The element directory identifies “objects within a document” in that it includes all elements of the SGML document. Also, the element directory identifies “divisions between objects” in that it separates each element into its own record in the table and includes a field comprising the attributes for each element of the SGML document.);

- a second document processor for deriving external structure information between said plurality of related sub-documents in response to said control information (see Figures 16-18; see Column 18, Line 4 through Column 20, Line 13 – DeRose discloses this limitation in that the electronic publishing system constructs a table of contents by identifying the elements, determining the hierarchical relationships between the elements and analyzing the element relationships to organize the elements into a table of contents. The electronic publishing system includes a processor that “derives” the “external structure information” between the “sub-documents” in that the system runs on a computer and **obtains** the information required to generate the table of contents **from the SGML document.**); and
- a data generator for generating a table of contents representing said internal structure information and said external structure information (see Figures 9-11; see Column 18, Lines 63-64 – DeRose discloses this limitation, as clearly indicated in the cited figures and text).

Claim 2:

DeRose discloses the system of Claim 1, wherein said data generator further generates menu icons representing navigation controls supporting User navigation through said encompassing document structure using table of contents information (see Figure 10 – DeRose discloses this limitation in that the electronic publishing system

includes buttons that allow user navigation in the “encompassing document;” also, the limitation “menu icons” read on many other navigation controls displayed in Figure 10).

Claim 3:

DeRose discloses the system of Claim 2, wherein said navigation controls comprise one or more of, (a) controls for navigating between sub-documents and (b) controls for navigating within an individual sub-document (see Figure 10 – DeRose discloses this limitation in that the electronic publishing system includes buttons that allow user navigation between the sub-documents; the electronic publishing system discloses “controls for navigating within an individual sub-document” in that it includes scroll bars, hyperlinks and cross-references within the sub-documents).

Claim 4:

DeRose discloses the system of Claim 2, wherein said navigation controls comprise one or more of, (a) controls for navigating forward or backward between sub-documents and (b) controls for navigating upward or downward within an individual sub-document (see Figure 10 – the electronic publishing system discloses “controls for navigating forward or backward between sub-documents” in that it includes buttons that allow user navigation between the sub-documents; the electronic publishing system discloses “controls for navigating upward or downward within an individual sub-document” in that it includes scroll bars, hyperlinks and cross-references within the sub-documents).

Claim 5:

DeRose discloses the system of Claim 1, wherein said sub-documents comprise one or more of, (a) an SGML document, (b) an XML document, (c) an HTML document (d) a document encoded in a language incorporating distinct content attributes and presentation attributes, and (e) a multimedia file (see Column 12, Lines 41-45 – DeRose discloses this limitation in that the electronic publishing system includes “sub-documents” comprising HTML documents).

Claim 7:

DeRose discloses the system of Claim 6, wherein said objects within a document comprise heading objects including at least one of: headings, footers, headers, figure titles and table titles, and non-heading objects including at least one of: paragraphs, lists tables and graphics. (see Figures 6 and 9-11 – DeRose discloses this limitation in that the electronic publishing system includes section headings, footnotes and figure titles; the electronic publishing system discloses “non-heading objects including at least one of: paragraphs, lists tables and graphics” in that it includes textual paragraphs and graphics).

Claim 8:

DeRose discloses the system of Claim 6, wherein said divisions between objects are identified based on at least one of: (i) a horizontal line, (ii) a larger than typical vertical spacing between text lines, (iii) heading marks, (iv) text properties and (v)

special objects (see Column 18, Lines 8-10 – DeRose discloses this limitation in that the electronic publishing system includes identifying divisions between objects that are “heading marks;” by including only the elements having titles in the table of contents, the electronic publishing system “identifies heading marks”).

Claim 9:

DeRose discloses the system of Claim 6, wherein said control information identifies different objects (see Column 18, Lines 8-10 – the electronic publishing system discloses “control information that identifies different objects” in that the SGML document identifies every object in the “encompassing document”).

Claim 10:

DeRose discloses the system of Claim 1, wherein said source of control information comprises an SGML document (as indicated in the above rejection for Claim 1, the electronic publishing system discloses this limitation).

Claim 11:

DeRose discloses the system of Claim 1, wherein said second document processor derives said external structure information by using said control information in hierarchically ordering said plurality of related sub-documents to conform to a hierarchical section numbering system (see Figures 16-18; see Column 18, Line 4 through Column 20, Line 13 – DeRose discloses this limitation in that the electronic

publishing system includes construction of a table of contents by identifying the elements, determining the hierarchical relationships between the elements and analyzing the element relationships to organize the elements into a table of contents; in other words, the electronic publishing system “uses the control information” to “hierarchically order” the “sub-documents” of the SGML document to “conform to a hierarchical section numbering system” in that it generates a table of contents).

Claim 12:

DeRose discloses a system for processing a plurality of related sub-documents to produce information associated with an encompassing document structure (as indicated in the above rejection for Claim 1, DeRose discloses this limitation), comprising:

- a source of control information for determining content structure of an encompassing document (as indicated in the above rejection for Claim 1, DeRose discloses this limitation);
- a first document processor for deriving internal structure information of each of said plurality of related sub-documents in response to said control information (as indicated in the above rejection for Claim 1, DeRose discloses this limitation);
- a second document processor for compiling encompassing document structure information by integrating related sub-document structure information (see Figures 16-18; see Column 18, Line 4 through Column 20, Line 13 – DeRose discloses this limitation in that the electronic publishing system constructs a table

- of contents by identifying the elements of the SGML document, determining the hierarchical relationships between the elements and analyzing the element relationships to organize the elements into a table of contents. The electronic publishing system includes a processor that “compiles” the “encompassing document structure information” by “integrating related sub-document structure information” in that the system runs on a computer and **obtains** the information required to generate the table of contents **from the SGML document.**); and
- a data generator for generating a table of contents representing said internal structure information and said encompassing document structure information (see Figures 9-11; see Column 18, Lines 63-64 – DeRose discloses this limitation, as clearly indicated in the cited figures and text).

Claim 13:

DeRose discloses the system of Claim 12, wherein said second document processor compiles encompassing document structure information into a hierarchical structure (see Figures 9-11 – DeRose discloses this limitation in that the electronic publishing system displays the tables of contents in a hierarchical structure).

Claim 14:

DeRose discloses the system of Claim 12, wherein said data generator further generates menu icons representing navigation controls supporting User navigation through said internal structure information and said encompassing document structure

using said table of contents (as indicated in the above rejection for Claim 2, DeRose discloses this limitation).

Claim 17:

DeRose discloses a system for processing a plurality of related sub-documents to produce information associated with an encompassing document structure (as indicated in the above rejection for Claim 1, DeRose discloses this limitation), comprising:

- a source of control information for determining content structure of an encompassing document (as indicated in the above rejection for Claim 1, DeRose discloses this limitation);
- a first document processor for deriving internal structure information by parsing the internal structure of each of said plurality of related sub-documents to identify structural object elements in response to said control information (see Figure 6; see Column 9, Lines 40-59 – DeRose discloses this limitation in that the electronic publishing system includes the element directory shown in Figure 6 that comprises information about each element of the “encompassing document” DeRose discloses this limitation in that the electronic publishing system includes the element directory shown in Figure 6, which comprises “internal structure information” about each portion of the SGML document. The element directory is generated by “parsing” the entire SGML document, including the individual portions of the SGML document. Each portion of the SGML document is a “sub-

document,” and the “sub-documents” are “related” in that they make up the “encompassing document.” The electronic publishing system includes a processor that “derives” the “internal structure information” in that the system runs on a computer and **obtains** the information displayed in Figure 6 **from the SGML document**. The element directory of Figure 6 comprises “internal structure information” of “sub-documents” in that it includes a field comprising the text and/or the attributes for each element of the SGML document.);

- a second document processor for compiling encompassing document structure information integrating related sub-document structure information, derived using said identified object elements, into composite structure information (see Figures 16-18; see Column 18, Line 4 through Column 20, Line 13 – DeRose discloses this limitation in that the electronic publishing system constructs a table of contents by identifying the elements of the SGML document, determining the hierarchical relationships between the elements and analyzing the element relationships to organize the elements into a table of contents. The electronic publishing system includes a processor that “compiles” the “encompassing document structure information” by “integrating related sub-document structure information” in that the system runs on a computer and **obtains** the information required to generate the table of contents **from the SGML document**.); and
- a processor for generating a navigation menu based on said internal structure information and said encompassing document structure (see Figure 10 – DeRose discloses this limitation in that the electronic publishing system includes

buttons and menus that allow user navigation in the document display. The buttons and menus are generated "based on said internal structure information and said encompassing document structure" in that they allow the user to navigate the displayed portions of document.).

Claim 18:

DeRose discloses the system of Claim 17, wherein said navigation menu comprises a table of contents linked to associated content via a database (see Column 7, Line 31 through Column 8, Line 26 – DeRose discloses this limitation in that the electronic publishing system includes a client/server computer system).

Claim 20:

DeRose discloses the system of Claim 1, wherein the table of contents is represented as a hierarchical structure incorporating said internal structure information and said external structure information (see Figures 9-11; see Column 18, Lines 63-64 – DeRose discloses this limitation, as clearly indicated in the cited figures and text).

Response to Arguments

Applicant's arguments filed 27 April 2005 have been fully considered but they are not persuasive.

Arguments for Claim 1:

Applicant also argues that DeRose fails to disclose a "first document processor [that] derives said internal structure information by identifying at least one of: (a) objects within a document, and (b) divisions between objects," because DeRose does not "teach identifying objects *within the elements* or divisions between objects" (emphasis added). Applicant also observes that the document elements of DeRose do not have elements of their own. See *Applicant's Response* – Page 8, first full paragraph.

The examiner disagrees.

Firstly, it is noted that the feature upon which applicant relies (i.e., "objects *within the elements*") is not recited in Claim 1. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Moreover, DeRose does disclose "objects within the elements" in that some elements are a "parent" of other elements (see Figures 3 and 5).

Secondly, the relevant claim language reads: "wherein said first document processor derives said internal structure information by identifying at least one of, (a) objects within a document and (b) divisions between objects" (see Claim 1, Lines 6-8). DeRose discloses "identifying objects within a document" in that the element directory "identifies" and includes all elements of the SGML document (see Figure 6). Also, DeRose discloses "identifying divisions between objects" in that the element directory separates each element into its own record in the table and includes a field comprising the attributes for each element of the SGML document.

Moreover, as indicated in Figures 13 and 15 and in Column 14, Line 7 through Column 15, Line 38, the user may download any portion of the main document. When the user does this, the processor on the user's computer will "receive" "internal structure information" by "identifying" the top root and all sub-roots of that portion of the main document. In performing this operation, the processor will "identify" all document components within that portion of the main document, including all: 1) objects, and 2) divisions between objects.

Accordingly, DeRose discloses "identifying at least one of, (a) objects within a document and (b) divisions between objects."

Arguments for Claims 1, 12 and 17:

Applicant argues that DeRose fails to disclose a "first document processor for deriving internal structure information of each of said plurality of related sub-documents in response to said control information" because DeRose does not mention that the internal structure of the elements is derived. See *Applicant's Response* – Page 7, fourth full paragraph through Page 8, first partial paragraph.

The examiner disagrees.

Applicant's argument focuses on "**deriving**" the internal structure information of the sub-documents. The term "deriving" is not defined in the Specification of the present application. The term "derive" means "to obtain or receive from a source" (**The American Heritage® Dictionary of the English Language, Third Edition**; © 1992 by

Art Unit: 2176

Houghton Mifflin Company.) Thus, the limitation "deriving internal structure information" is extremely broad.

This claim language reads on any prior art computer processor that "receives from a source" objects making up a document. The electronic publishing system disclosed in DeRose comprises a computer processor that manipulates a main document made up of sub-documents that include objects (see Figures 4-6). That is, the electronic publishing system includes a processor that "derives" the "internal structure information" of the "sub-documents" in that the system runs on a computer and ***obtains*** the information displayed in Figure 6 ***from the SGML document***.

Accordingly, DeRose discloses a "first document processor for deriving internal structure information of each of said plurality of related sub-documents in response to said control information."

Conclusion

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (571) 272-4137. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

WDH
July 9, 2005

A handwritten signature in black ink, appearing to read "Doug Hutton", with a stylized flourish at the end.

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**